

REMARKS

Summary of the Office Action

Claims 10 and 27 are **allowed**.

Claims 25 and 26 are rejected under 35 U.S.C. § 112, second paragraph, as containing "indefinite" language.

Claims "12-26", 28 and 29 are objected to as being dependent upon a rejected base claim but would be **allowable** if rewritten in independent form. The first full paragraph on page 3 of the Office Action appears to contradict the rejection of claims 25 and 26 under 35 U.S.C. § 112, second paragraph, on page 2 of the Office Action; however, Applicant voluntarily cancels claims 25 and 26 (without prejudice).

Claims 1, 3-9 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable (obvious) over Williams '341 in view of Kunst '471 and Lazet '990.

Claim 33 stands rejected under 35 U.S.C. § 103(a) as being unpatentable (obvious) over Williams '341 in view of Kunst '471 and Lazet '990, and further in view of Clavier '891 (**newly cited**).

Applicant respectfully **traverses** these prior art rejections.

In the paragraph beginning on page 4 of the Office Action, the Examiner dismisses several valid limitations of the rejected claims by stating: "Besides, the above structural limitations are of no patentable significance unless they affect the process/method in a manipulative sense".

While there is no **required** form for the limitations of a "method" claim, in view of the Examiner's statement, Applicant amends several of the claims so that they recite steps in the more familiar active verb form (-ing). These amendments do **not change the scopes** of the involved claims, and, therefore, Applicant respectfully requests the Examiner to enter these amendments as the amended claims would **not** require any further consideration and/or search. These proposed amendments were not earlier made, because they were not deemed desirable or necessary until this Examiner's statement which appears for the first time in the present final Office Action.

In spite of the Examiner's requirements for a "new or unexpected result", these art rejected claims contain limitations which are not disclosed or even suggested in the Williams/Kuntz/Lazet/Clavier combination, whereby Applicant respectfully submits, notwithstanding the Examiner's statement to the contrary, that the disclosures of these references do not show *prima facie* obviousness of the subject matter of each of the rejected claims 1, 3-9, 11 and 33.

Again notwithstanding the Examiner's assertion to the contrary, Applicant's claimed "inclined" roof is both novel and non-obvious and not merely "a matter of design choice" as asserted by the Examiner.

As previously explained, the roof 20 of Lazet is **not inclined** (Fig. 1); even if Lazet's inclined baffle member 16 were considered as corresponding to Applicant's claimed roof, the condensation in Lazet occurs in the condensation zone 26 so that the inclined baffle member 16 does not recover the solvent gas, and the condensation does not occur there.

With specific regard to claim 1, the Examiner states, "while the condensation occurs in the condensation zone (26), however, some condensation occurs in (18) connected to the inclined baffle member (16) of Lazet. Note column 2, lines 1-8". See page 4 of the Office Action.

However, Applicant's claim 1 clearly recites "an inclined surface on said roof [forms] a condensing surface...". Therefore, even though condensation occurs in the passageway (18) of Lazet, this does **not** mean that the condensation occurs inside the inclined surface, i.e., inside the inclined baffle member (16) of Lazet, as in Applicant's claimed invention ("an inclined inner surface on said roof to form a condensing surface..."). In other words, while the condensation and concentration occur in different zones (26 and 12) in Lazet, in Applicant's claimed invention they occur in the same zone in Applicant's invention. This feature has the novel, unobvious and unexpected advantage/result of reducing the space occupied by the apparatus (specification page 3, lines 11-30).

With specific regard to claim 6, "disposing...[the] flash nozzle under [the] liquid surface" has the advantage of preventing "tiny droplets" of the dope from being "sprayed" and "adhered on [the] inner wall of the tank main body to generate a skinning" (specification page 2, line 24-page 3, line 10). This shows an **unexpected result** which the Examiner asserts is missing from the disclosure of the claimed invention ("an inclined inner surface on said roof to form a condensing surface...").

Furthermore, the Examiner's reliance on the "grooves" disclosed in Clavier is not understood, as Clavier's "grooves" are in a non-analogous art: "The grooves providing the lens effect extend horizontally in a direction parallel to the canal 1". (See column 4, lines 44-46.)

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Thus, Applicant must respectfully submit that Applicant absolutely **fails** to understand the Examiner's attempt to find **motivation** for combining the completely unrelated grooves of Clavier with the disclosures of Williams, Kunst and Lazet to find obviousness in the subject matter of the dependent claim 33.

The Examiner makes the following merely conclusory statements:

Whether the roof is inclined as claimed or not inclined as in the prior art; and/or whether the location of the flash nozzle is on top of the liquid surface as in the prior art as opposed to "under a liquid surface of said solution" as claimed, are of no patentable moment (?).

Thus, in the absence of anything which may be "new or unexpected result", a *prima facie* case of obviousness has been reasonably established by the art and has not been rebutted.

In summary, then, Applicant respectfully requests the Examiner **carefully to reconsider** (and to allow) the art-rejected claims 1, 3-9, 11 and 33 for the reasons explained above, in particular because the cited prior art does not disclose or even suggest **all of the limitations** of the rejected claims 1, 3-9, 11 and 33, and furthermore, because the Examiner's reliance on Clavier, Applicant respectfully submits, is completely untenable, as the "grooves" in Clavier are completely irrelevant to Applicant's claimed "grooves" (claim 33),.

Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw all objections and rejections, and to find the application to be in condition for allowance with all of claims 1, 3-24, 27-29 and 33. In this regard, claims 10 and 27 already have been allowed, and claims 12-24, 28 and 29 would be **allowed** if rewritten in independent form; however, Applicant

respectfully requests the Examiner to hold such rewriting in **abeyance** until the Examiner has had an opportunity to reconsider (and to withdraw) the rejection of claims 1, 3-9 and 11.

REQUEST FOR INTERVIEW

Even though Applicant appreciates the Examiner's indicated allowability of the dependent claims 12-24, 28 and 29, Applicant respectfully submits that Applicant's disclosed invention is entitled to much broader patent protection than afforded by these dependent claims. For the reasons presented above (and in the previous Amendment), Applicant respectfully submits that the subject matter of the art-rejected claims would not have been obvious from the prior art applied by the Examiner. However, if the Examiner still feels that the application is not now in condition for allowance, Examiner Manoharan is respectfully requested to **call the undersigned attorney** to discuss any unresolved issues and to expedite the disposition of the application, and in particular to determine whether, in the Examiner's opinion, some further amendment of the art-rejected claims is required in order to obtain allowability of such claims.

Applicant files concurrently herewith a Petition (with fee) for an Extension of Time of three months. Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this application, and any required fee for such extension is to be charged to Deposit Account No. 19-4880. The Commissioner is also authorized to charge any

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additional fees under 37 C.F.R. § 1.16 and/or § 1.17 necessary to keep this application pending in
the Patent and Trademark Office or credit any overpayment to said Deposit Account No. 19-4880.

Respectfully submitted,

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